

 Wingate Avenue Community Centre	Title:	
	COMPLAINTS & APPEALS RESOLUTION POLICY AND PROCEDURE	
	Version: 3	Approved: Committee of Management February 2015
Administered: Manager	Next Review: February 2017	

Policy Background

Element 2.7 of the Australian Quality Training Frameworks expects that an RTO provides appropriate mechanisms and services for learners to have complaints and appeals addressed efficiently and effectively.

Wingate Avenue Community Centre (WACC) encourages anyone with a complaint or appeal to resolve any issues or concerns that they may have at the earliest opportunity. It is the objective of this policy to ensure that complaints and appeals are resolved by negotiation and discussion between the parties. The preferred process involves employees, volunteers, and people who use the centre being able to resolve issues to their satisfaction internally. All complaints/grievances and appeals need to be handling via the following processes and procedures.

If a staff member has a grievance that are to refer to the Staff Grievance Policy and procedure. Information can be found in the staff handbook.

Scope

This policy and procedure applies to past and present students and community development program participants.

Definitions

Complaint – dissatisfaction with any aspect of service provided by WACC, including Learn Local, training delivered through The Victorian Training Guarantee (Certificates in Spoken and Written English), SEE (Skills for Education and Employment) and AMEP (Adult Migrant English Program)

Appeal - Where a person disputes a decision made by WACC. This may be an assessment decision or any other decision.

Staff Grievance - Dissatisfaction with employment conditions (refer to Staff Grievance Policy and Procedure)

Relevant Legislation

Education and Training Reform Act 2006 (Vic).

Education and Training Reform Regulations 2007 (Vic).

Policy

WACC encourages an environment whereby views are valued and feedback is actively sought from community members and staff.

Staff, students and volunteers are informed of complaints and appeals policy and mechanisms at the time of enrolment or induction. Students are made aware of the policy through the handbook and they are able to access it via the website or obtain a hard copy from reception at Wingate Avenue Community Centre.

A student who has a complaint or appeal has the right to raise the complaint or appeal and expect that every effort will be made to resolve the issue. They have a right to present the complaint or appeal formally, as well as in writing.

Verbal complaints will be accepted when the Complainant makes it clear that they are making a formal complaint and not giving general feedback. WACC recognises that critical comment and response are an important part of the

development of quality educational and community programs and such responses would not normally be viewed as a complaint unless specific action was requested.

Responsibilities

Wingate Avenue Community Centre will:

- Ensure that students know how to make a complaint or appeal.
- Ensure that staff know how to handle a complaint or appeal through adequate information at induction as well as information in the staff handbook
- Ensure that staff know how to report a grievance
- Ensure all complaints, and appeals will be handled professionally and confidentially in order to achieve a resolution
- Ensure that complaints/ and appeals are resolved by negotiation and discussion between the parties
- Ensure all complaints/ and appeals are managed fairly and equitably and efficiently as possible.
- Ensure all steps in the complaint or appeal procedure will be minuted and outcomes recorded.

The Management team will ensure that

- There is information on the website as well as in the Student Handbook
- The policy and procedure adheres to the principals of procedural fairness
- Complaint and appeals are addressed efficiently and effectively.

It is the responsibility of Employees (including volunteers), Students and Centre Users to ensure that:

- They attempt to resolve any issues through internal processes at the earliest opportunity.

Procedure

AMEP/SEE/Victorian Training Guarantee funded students/Centre Users

1. Where a student or Centre User considers they have a complaint/grievance or appeal, they should first raise the matter with their teacher/tutor. If the complaint or appeal is resolved the teacher/tutor is required to inform their Manager-Education of the decision who will then record it on the Complaint and Appeals Register.
2. If this does not resolve the problem or the complainant is unable to talk to their teacher/tutor, the complainant should speak to the Education Manager, Compliance Manager or Administration. If the complaint or appeal is resolved the relevant staff member will record the decision on the Complaint and Appeals Register.
3. If following step 2 there is no resolution, the student can choose to complete the Complaint and Appeals Form and submit it to the General Manager. The form is available at www.wingateave.com.au.
4. The student should bring the complaint or appeal to the attention of the General Manager in writing within seven (7) days or as soon as possible after the issue has taken place by giving the completed form to reception or emailing the form to admin@wingateave.com.au (attention: General Manager).
5. The General Manager will deal with the issue directly or allocate the issue to a member of the management team. The appropriate staff member will then arrange for both parties to meet to identify and discuss the complaint or appeal and attempt to resolve the issue within 14 days. This complaint or appeal should be recorded in writing on WACC's Complaints Grievances and Appeals Register available at S:\2015\Policies & Procedures\Complaints & Appeals Resolution Policy. If the issue is not resolved satisfactorily, an additional person who is mutually agreed upon should be asked to mediate in a meeting held within 7 days. This could be a Coordinator or Committee of Management member. Each party can bring an advocate.
6. If the issue is still not resolved, the complainant can bring it to the attention of the Committee of Management, either via a letter or by personal attendance at a meeting within four weeks (please see reception in order to obtain contact details for the WACC Committee of Management). A record of this meeting and outcomes will be minuted. The meeting will observe strict confidentiality and follow the process of:
 - a. Complainant to present their complaint, with a support person present if desired.

- b. Committee of Management to refer to WACC's Policies and Procedures, as well as any relevant legislation.
 - c. Attempt will be made to resolve the issue via discussion at the meeting.
 - d. If a resolution cannot be reached, then the Committee of Management will offer external mediation between the parties.
7. If the complaint or appeal still exists, it can be referred to an appropriate external reference body: (**see Appendix 2: External Bodies Poster**):

- a. AMEP students may contact the Northern AMEP Manager on the AMEP Helpline, ph: 9938 4621. If the issue is not resolved ask the Education Manager or Administration to refer your case to the DIAC Global Feedback Unit Details: Address: GPO Box 241, Melbourne, Vic, 3001; Email: www.immi.gov.au; Telephone: 133177.
 - If the student is dissatisfied after discussions with DIAC the student may contact the Commonwealth Ombudsman. Details: Telephone: 1300 362 072; Email: ombudsman@ombudsman.gov.au; Online: www.ombudsman.gov.au.
- b. Learn Local and Victorian Training Guarantee funded students may contact the Registering Body VRQA (Victorian Registration and Qualifications Authority) by one of the following ways:

A complaint can be made in writing by doing ONE of the following:

- through the VRQA on-line complaints portal, via emails, fax and via the post. Telephone: 9637 2806, Fax: 90321579 Postal: GPO Box 2317, Melbourne, Vic 3001. website: www.vrqa.vic.gov.au
 - The VRQA also receives and registers complaints received from third parties such as a Minister's Office, the Auditor General's Office or Ombudsman Victoria. (www.ombudsman.vic.gov.au)
 - Where, for reasons of disability, a complainant is not able to put their complaint in writing, a VRQA staff member will assist in drafting and registering a complaint.
- c. SEE students may contact the Northern LLANS Manager on phone 92698469.
 - d. Parents/guardians of children in Childcare can contact the Department of Education and Early Childhood Development, ph: 1300 307 415, website: www.education.vic.gov.au
 - e. Other Centre users can contact the Victorian Equal Opportunity and Human Rights Commission Complaints Line, ph: 1300 891 848, website: <http://www.humanrightscommission.vic.gov.au/>, or Consumer Affairs Victoria Consumer Affairs Helpline, ph: 1300 55 81 81, website: www.consumer.vic.gov.au or the Dispute Settlement Centre Victoria at the Department of Justice, ph: 1800 658 528, website: www.justice.vic.gov.au/disputes

The decision made by this body will be accepted by both parties as ending the matter and a letter will be sent to the party/parties involved.

- 8. If there is no appropriate reference body, the matter will be referred to an independent person with no line management or Committee of Management connections to the Community Centre. The decision made by this body will be accepted by the parties as ending the matter and a letter will be sent to the party/parties involve detailing outcomes and reasons within 2 weeks.

Complaints and Appeals Register

This is a confidential document kept in the General Managers locked filing cabinet and on the computer in a locked file, and accessible only to Senior Management. This register is to include the nature of the complaint or appeal, timeframe

and strategies for resolution. Records are to be kept and filed in a confidential and secure place. These records should be kept for a period of seven years. Under no circumstances will records be placed on the complainant's personnel file.

Further Information

Fair Work Australia website <http://www.fwa.gov.au/>

Related Documents

- Appendix 1: Complaints and Appeals Reporting Template
- Appendix 2: Childcare Complaints Poster
- Appendix 3: Student/Centre Users Complaints Poster
- Appendix 4: External Bodies Poster
- Complaints and Appeals Register
- Code of Conduct

Adopted by Committee of Management on (date: 2 February 2015)

Signed by Chairperson: Renee Hancock 